

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SHANNON GIBSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:22-CV-163-SPM
	)	
OFFICER EMIR HADZIC, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Motion for Leave to File Amended Complaint (Doc. 13). Plaintiff attached his proposed Complaint and Demand for Jury Trial to his Motion. (Doc. 13-1). After a review of the Motion and his proposed Complaint, the Court finds the requirements of Rule 15, Federal Rules of Civil Procedure ("Rule(s)"), are met. *See* Fed. R. Civ. P. 15(a). The Court will grant Plaintiff's Motion.

Because the Court grants the Motion, Plaintiff's proposed amendment is now the operating pleading of his case, and all prior Complaints are void. Although Plaintiff's Third Amended Complaint is now the operative pleading in this case, Plaintiff is still required to meet the requirements of service pursuant to Rule 4 of the Federal Rules of Civil Procedure. Filing a motion to amend his complaint does not operate as an extension of the service requirements of Rule 4. Because there is no indication that Plaintiff has served the named Defendants and Plaintiff has not requested an extension of time to effect service, the Court will issue a separate Order requiring Plaintiff to serve Defendants or this action may be dismissed for failure to effect service.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Leave to File Amended Complaint (Doc. 13) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall file Exhibit 1 (Doc. 13-1) to the Motion as the operative Complaint in this matter.

A handwritten signature in black ink, appearing to read "Shirley Padmore", written over a horizontal line.

SHIRLEY PADMORE MENSAH  
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of October, 2022.